

REMARKS

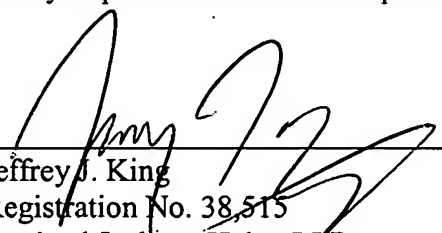
Claims 1-88 are pending. Claims 65-88 have been amended herein to correct obvious typographical errors in the claims. In the Restriction Requirement, claims 1-62 were restricted into the following two groups:

- I. Group I, claims 1-54, drawn to an isolated infectious RSV.
- II. Group II, claims 55-62, drawn to an isolated polynucleotide encoding a RSV.

Notably, the November 4, 2003 Restriction Requirement makes no mention of original Claims 63-88 and does not specify which of the identified Groups these claims are considered to fall into. Claims 63-88 are directed to methods for producing an infectious attenuated RSV, which methods closely parallel in relevant aspects the attenuated RSV of the elected Group I claims. On this basis, Applicants respectfully submit that these claims should be joined for collective examination with the elected Group I claims. Such collective examination would not impose a serious burden on the Office (*see, e.g.*, MPEP 803, Criteria for Restriction Between Patentably Distinct Inventions: (B) "There must be a serious burden on the examiner if restriction is required.")

Applicants hereby provisionally elect Group I, Claims 1-54 for prosecution at this time, and respectfully request that the election be inclusive of non-restricted claims 63-88 as well. This election is made with traverse, and no representations are made by this election concerning the merits of the Restriction Requirement with respect to the possible existence of multiple distinct inventions among the originally presented claims. Applicants reserve the right to pursue the subject matter of all non-elected claims in one or more related applications. Applicants respectfully request allowance of all pending elected claims.

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